

## REMARKS

### Status of Claims:

Claims 1-47 were originally filed with the patent application. Claims 40-47 were canceled  
5 and Claims 48-55 were added in a First Preliminary Amendment dated March 15, 2004. Claims 27,  
29, 53, and 55 were canceled and Claims 56-63 were added by the Amendment and Response dated  
December 1, 2004. No claims are being canceled or added herein. Therefore, Claims 1-26, 28, 30-  
39, 48-52, 54, and 56-63 will still be pending upon entry of this Response.

### §102/103 Claim Rejections:

All then pending claims were rejected in the June 3, 2004 Office Action under 35 U.S.C.  
§102 and/or §103 based upon U.S. Patent No. 6,556,381 ('381 Patent). No other reference was used  
in any other rejection of any other claim in the June 3, 2004 Office Action. The above-captioned  
patent application claims priority to U.S. Provisional Patent Application Serial No. 60/257,122, that  
15 was filed on December 20, 2000. As Applicant also noted in the December 1, 2004 Amendment and  
Response, the '381 Patent is not prior art to this priority patent application. Applicant maintains that  
this is responsive to the Examiner's asserted position both in relation to the previously pending  
claims and in relation to those claims that were added by the December 1, 2004 Amendment and  
Response. If a reference is not prior art, it cannot be used to reject a claim under §102 and/or §103.

Conclusion:

Based upon the foregoing, Applicant believes that all pending claims are in condition for allowance and such a disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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